03-19-01 A

Jc960 U.S. PTO
03/16/01

DOCKET NO. : ABMS-0117/B000310 **PATENT**

09/810599 U.S. PTO
03/16/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Carl J. LaPlace; David G. Hart; William M. Egolf

Serial No.: Not yet assigned **Group Art Unit:** Not yet assigned

Filing Date: Herewith **Examiner:** Not yet assigned

For: ADAPTIVE RECLOSER/SECTIONALIZER

09810599 031601

EXPRESS MAIL LABEL NO: EL719249350US
DATE OF DEPOSIT: March 16, 2001

Box ☒ Patent Application
☐ Provisional ☐ Design

Assistant Commissioner for Patents
Washington DC 20231

Sir:

PATENT APPLICATION TRANSMITTAL LETTER

Transmitted herewith for filing, please find

☒ A Utility Patent Application under 37 C.F.R. 1.53(b).

It is a continuing application, as follows:

☐ continuation ☐ divisional ☐ continuation-in-part of prior application number ___/_____.

☐ A Provisional Patent Application under 37 C.F.R. 1.53(c).

☐ A Design Patent Application (submitted in duplicate).

☒ **Request for Nonpublication.** The invention(s) disclosed in the present application filed herewith has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication

of applications 18 months after filing. Thus, pursuant to 35 U.S.C. §122(b)(2)(B)(i), Applicant(s) request that the above-identified patent application not be published.

Including the following:

☐ Provisional Application Cover Sheet.

☒ New or Revised Specification, including pages 1 to 14 containing:

- ☒ Specification
- ☒ Claims
- ☒ Abstract
- ☐ Substitute Specification, including Claims and Abstract.

 ☐ The present application is a continuation application of Application No. _____ filed _____. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Since none of those amendments incorporate new matter into the parent application, the present revised Specification also does not include new matter.

 ☐ The present application is a continuation application of Application No. _____ filed _____, which in turn is a continuation-in-part of Application No. _____ filed _____. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Although the amendments in the parent C-I-P application may have incorporated new matter, since those are the only revisions included in the present application, the present application includes no new matter in relation to the parent application.

☐ A copy of earlier application Serial No. _____ Filed _____, including Specification, Claims and Abstract (pages 1 - @@), to which no new matter has been added TOGETHER WITH a copy of the executed oath or declaration for such earlier application and all drawings and appendices. Such earlier application is hereby incorporated into the present application by reference.

☐ Please enter the following amendment to the Specification under the Cross-Reference

to Related Applications section (or create such a section) : "This Application: ☐ is a continuation of ☐ is a divisional of ☐ claims benefit of U.S. provisional Application Serial No. _____ filed _____ _____ _____.

☐ Signed Statement attached deleting inventor(s) named in the prior application.

☐ A Preliminary Amendment.

☒ Three (3) Sheets of Formal Drawings.

☐ Drawing view to publish: Figure __.

☐ Petition to Accept Photographic Drawings.

☐ Petition Fee

☒ An ☐ Executed ☒ Unexecuted Declaration or Oath and Power of Attorney.

☐ An Associate Power of Attorney.

☐ An ☐ Executed ☐ Copy of Executed Assignment of the Invention to _____ _____.

☐ A Recordation Form Cover Sheet.

☐ Recordation Fee - $40.00.

☐ The prior application is assigned of record to _____

☐ Priority is claimed under 35 U.S.C. § 119 of Patent Application No. _____ filed _____ in _____ (country).

☐ A Certified Copy of each of the above applications for which priority is claimed:

☐ is enclosed.

☐ has been filed in prior application Serial No. _____ filed _____.

☐ Please enter the following amendment to the first sentence of the specification (or create such a sentence): "This application claims benefit of international application No. _____, which was published under PCT Article 21(2)

in English."

☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 C.F.R. §1.27 as:

☐ an Independent Inventor

☐ a Small Business Concern

☐ a Nonprofit Organization.

☐ Diskette Containing DNA/Amino Acid Sequence Information.

☐ Statement to Support Submission of DNA/Amino Acid Sequence Information.

☐ The computer readable form in this application _____, is identical with that filed in Application Serial Number _____, filed _____. In accordance with 37 CFR 1.821(e), please use the ☐ first-filed, ☐ last-filed or ☐ only computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is ☐ included in the originally-filed specification of the instant application, ☐ included in a separately filed preliminary amendment for incorporation into the specification.

☐ Information Disclosure Statement.

- ☐ Attached Form 1449.
- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ A copy of Petition for Extension of Time as filed in the prior case.

☐ Appended Material as follows: _____ .

☒ Return Receipt Postcard (should be specifically itemized).

☐ Other as follows: _____

_____ .

FEE CALCULATION:

☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

			SMALL ENTITY		NOT SMALL ENTITY	
			RATE	FEE	RATE	FEE
PROVISIONAL APPLICATION			$75.00	$	$150.00	$
DESIGN APPLICATION			$160.00	$	$320.00	$
UTILITY APPLICATIONS BASE FEE			$355.00	$	$710.00	$710.00
UTILITY APPLICATION; ALL CLAIMS CALCULATED AFTER ENTRY OF ALL AMENDMENTS						
	No. Filed	No. Extra				
TOTAL CLAIMS	15 - 20 =	0	$9 each	$	$18 each	$ 0
INDEP. CLAIMS	3 - 3 =	0	$40 each	$	$80 each	$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			$135	$	$270	$ 0
ADDITIONAL FILING FEE				$		$ 0
TOTAL FILING FEE DUE				$		$710.00

☒ A Check is enclosed in the amount of $ 710.00 .

☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.

☐ The foregoing amount due.

☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.

☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: March 16, 2001

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